

Iditarod Air Force

A division of Iditarod Trail Committee

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February 1, 2008

U.S. Department of Transportation
Document Management System
400 7th Street, SW
Room PL 401
Washington D.C. 20591-001

VERY URGENT, PLEASE EXPEDITE

FINAL REVISION REPLACES JANUARY 31, 2008 COMMUNICATION

Dear Sir or Madam:

In accordance with Title 14, Code of Federal Regulations (CFR) Part 11, specifically Federal Aviation Regulation (FAR) 11. 61(b). The Iditarod Committee and the Iditarod Air Force hereby petition the Federal Aviation Administration seeking exemption from certain requirements referenced below, and also petition on behalf of the pilot/owners, who are identified by name and pilot certificate number as listed in Attachment 1 to this petition. All petitioners shall simply be referenced hereafter as "petitioners" and given the broad definition of "operator" set out in FAA regulations, interpretations and associated case law , the use of

“petitioners” means all seek the same relief, unless specifically identified herein.

In order to provide clarity and context to this petition, petitioners shall describe herein a current and historical perspective of the flight operations and the event these operations support. The Iditarod Trail Committee operates and directs the annual sled dog race commonly referred to as “the Iditarod”. The Committee is a 503 C Not for Profit Corporation based in Wasilla, Alaska. As is well known, the Committee has historically depended on volunteers in many areas to keep the race economically viable, and to secure services in areas with very limited commercial sources. One indispensable group of volunteers organized and incorporated as a non-profit, adopting the name Iditarod Air Force (IAF). The IAF includes pilots and aircraft owners who volunteer themselves and their aircraft to support race functions. Neither the Committee nor the IAF hold any form of certificate issued by the FAA to conduct commercial transportation services. The pilot-owners receive fuel, insurance, food and lodging in return for transporting dog food and other materials to points along the route. They also transport veterinarians, their own media personnel as well as a small number of media licensee’s and other volunteers to various points, again receiving the described compensation for these operations.

The Committee also charges race participants an entrance fee that is used in part to cover the cost of flying dogs, foods, and equipment along the race route. The entrant fee is not a direct charge for aviation services but covers a wide-range of race-related costs.

The route stretches over a 1049 miles, varying slightly according to trail conditions and alternative starting points, but generally runs the historical route from north of Anchorage in south central Alaska to Nome located on the Bering Sea in the northwest corner of this vast state. It approximates the historic route traveled by dog teams when the entire community of Nome relied on mushers to deliver serum during an epidemic affecting and endangering an entire town. It is the pre-

imminent athletic/sporting event in Alaska, and is followed by millions across the Earth as real-time news coverage is literally carried across the globe. In a state often characterized by cultural splits between urban and rural areas, it has a dramatic unifying effect for the people of the state, where urban town-dwellers and small villagers of diverse ethnic and economic backgrounds unite under a single banner and purpose. This race literally represents the entire culture of a state. In a state characterized by a slowdown in tourism industry during the winter, it gives a needed and important infusion of economic boosters when most small businesses find themselves at a slow and difficult time. This race does not simply reflect a form of unusual entertainment; rather it is of huge public interest in a very vast and unique state. Literally the most visible symbol of a frontier that has vanished from the rest of the nation.

For almost two decades the Committee has relied on the aviation volunteers and related fee structure to operate the race successfully. The Committee viewed its system as merely ameliorating the substantial costs shouldered by these aviation volunteers. Nevertheless, the Committee has been advised that these matters and methods are subject to the more rigorous standards of Part 119 and 135 of the Federal Aviation Regulations, and other regulatory requirements in Parts 61 and 67 directed to individual pilots. The FAA has identified interpretations it believes require these more stringent standards, those interpretations setting out the agency's position and policy regarding these matters. Two of these in particular are identified as FAA Interpretation 1993-4 and 1997-23, issued in accordance with statutory authority by the general counsel's organization of the FAA. Petitioners concede that the positions set out in those interpretations conflict with the system previously in use by the Committee/Air Force, without admitting any violation of regulations. Immediate imposition of those requirements would literally make support of the race impossible, and could permanently end this historical event. It is of critical public interest, particularly to the cultural and economic interests of an entire state, that the Committee/Air Force be allowed to operate under current conditions, subject to specific restrictions put in place to assure the highest level of safety for human

participants, observers, employees and non-aviation volunteers. As will be indicated below, we believe with the additional safeguards in place, our proposal will enhance safety more than simply requiring service by small, seasonal, certificated operators.

Petitioners seek exemption from FAR 119.21(a) for the Committee/Air Force and pilots to allow them to accept monetary and non-monetary compensation in return for transportation or people or property, and the use of fuel, food and equipment either purchased by the Committee/Air Force or otherwise made available by private donations. The compensation considered herein includes any money or donations made to or charged by the Committee/Air Force to transport people or property associated with the operation of the Iditarod Race, and any fuel, insurance, housing, food or other support costs paid to individual pilot-aircraft owners. Additionally any and all private pilots identified in Attachment 1 petition for exemption from FAR 61.113(a) but only to the extent persons are not carried aboard their aircraft, only inanimate property and/ or dogs. Commercial pilot certificate holders and Airline Transport Pilot certificate holders who do not possess valid 2nd or 1st class medical certificates and who are included in Attachment 1 hereby petition for relief from FAR 61.3(c) and FAR 61.23(a), for operations involving compensation that include carriage of inanimate property and/or dogs and only to the extent persons are not carried aboard such aircraft.

All petitioners agree and represent that several universal conditions shall apply to operations conducted pursuant to any exemption that may be granted by the FAA and pursuant to the instant petition:

1. Only U.S. registered aircraft may be used in these flight operations.
2. The Committee, Air Force and each aircraft owner and operator will assume regulatory responsibility ensuring that each aircraft operated pursuant to this requested exemption will have a current

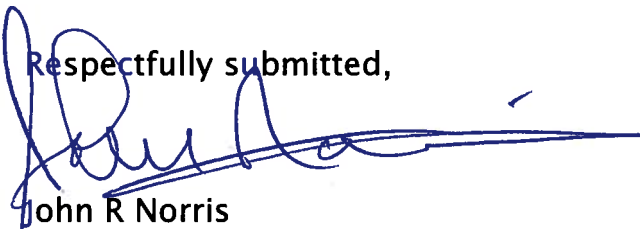
- annual inspection as required by FAR 91.409(a) at the time of any operation.
3. Only U.S. certificated airmen may act as required crewmembers in aircraft operated under any exemption.
 4. All operations will be conducted under Day Visual Flight Rules (VFR). No nighttime or Instrument Flight Rules (IFR) operations will be conducted in any operation affected by or subject to the requested exemption.
 5. All passenger-carrying operations conducted under the requested exemption shall be conducted in accordance with Part 135 weather minimums found in 135.205(a).
 6. All passenger-carrying operations conducted under the requested exemption shall be conducted in full compliance with altitude restrictions contained in 135.203 (a) (1).
 7. All personnel affected by, relying on, or otherwise included in Attachment 1 of this petition for exemption shall be provided a written copy of any exemption granted, including any limitations determined necessary the FAA, and in addition, the Committee/Air Force will conduct a one-time briefing on the conditions of the exemption for all persons described above before any person commences of any flight operations conducted pursuant to any such exemption.
 8. The exemption, if granted, shall expire April, 2008.

The petitioner believes this request is in the public interest because many, if not most of the current part 135 operators in Alaska are seasonal and are not inclined nor equipped for winter operations along remote routes. Very few have the logistical wherewithal to ensure fuel, maintenance and crew quarters along the race route. Many of the pilots—unlike long-term volunteers operating under an established route structure have little, if any, familiarity with particularly lakes, trails and villages. Return to and from established bases or operations in more urban area even after a few days would prove impractical, or worse, push operators to travel long routes through demanding mountainous terrain as compared to the volunteers who are equipped to stay along the trail

route for extended periods and who almost all have extensive experience with the local conditions, alternative landing sites and other idiosyncrasies gained from experience, such as knowledge of localized weather patterns. Finally, the Air Force has considerable experience coordinating and supervising these flight operations. Meaningful operational control by a certificated operator/carrier, without months of planning and coordination between numerous operators, even for such simple things as common radio frequencies in a given area, could be jeopardized, and the potential for dangerous confusion is significant.

In conclusion, a petition for exemption from the identified regulations, subject to the identified conditions, will protect the substantial public interests attached to this race, protect the FAA's interest in proper and legal compliance with its regulatory structure, and provide the highest level of safety reasonably achievable under the circumstances.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "John R Norris", with a long horizontal flourish extending to the right.

John R Norris

Chief Pilot, Iditarod Air Force

Attachment 1

Airman's Name	Type of FAA Airman Certificate	Medical Certificate Class	Date of Medical Certificate
Carlson, Martin	ATP	1 st	12/17/07
Davidson, Danny	Commercial	2 nd	01/04/08
Dowling, Richard	Private	3 rd	07/09/07
Dunlap, Russell	Commercial	1 st	09/10/07
Elliot, Robert	ATP	2 ^{nd***}	11/29/06
Erb, Wes	ATP	1 st	01/15/08
Erickson, David	ATP	2 nd	10/01/07
Hakala, Steve	Commercial	1 st	04/30/07
Hanson, Robert	ATP	3 rd	04/03/07
Hanson, Glen	ATP	2 ^{nd***}	08/23/07
Kastner, Ken	Private	3 rd	04/01/07
Kintz, Jim	Commercial	3 ^{rd***}	06/19/07
Kornfield, Edward	ATP	2 nd	11/02/07
Koskovich, Michael	ATP	1 st	07/25/07
Mabry, Monte	ATP	2 ^{nd***}	04/16/06
Mayer, William	Commercial	2 nd	04/03/07
Moon, Kenneth	ATP	1 st	09/01/07
Morgan, Philip	ATP	1 st	08/07/07
Moroney, Bruce	ATP	1 st	12/27/07
Moroney, Diana	ATP	1 st	11/19/07
Mullowney, Richard	ATP	1 st	05/09/07
Murphy, George	Commercial	2 nd	01/24/08
Neisen, Greg	Private	3 rd	08/08/07
Norris, John	Commercial	3 ^{rd***}	01/18/07
Olsen, Dale	ATP	2 nd	11/01/07
Pendergrass, Joe	Commercial	2 nd	04/07/07
Petrie, Michael	Commercial	2 nd	06/01/07
Russey, Reagan	ATP	2 ^{nd***}	08/01/06
Skala, Timothy	Private	3 rd	07/01/06
Urstadt, Chris	ATP	1 st	01/11/08
Wortley, Jerry	ATP	2 nd	02/19/07

*** Will be upgraded to higher class medical by February 19, 2008